

E-001/RP-93-631 ORDER GRANTING VARIANCE TO ALLOW TIME EXTENSION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Cynthia A. Kitlinski
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner

In the Matter of Interstate
Power Company's 1993 Biennial
Resource Plan Filing

ISSUE DATE: July 26, 1993

DOCKET NO. E-001/RP-93-631

ORDER GRANTING VARIANCE TO ALLOW
TIME EXTENSION

PROCEDURAL HISTORY

On December 12, 1990, the Commission issued its ORDER ESTABLISHING FILING SCHEDULE FOR RESOURCE PLANS in Docket No. E-999/R-89-201¹. In that Order the Commission required Interstate Power Company (Interstate or the Company) to submit its initial resource plan filing by July 1, 1991. Under Minn. Rules, part 7843.0300, subp. 2, further resource plan filings would be due every two years thereafter.

On July 1, 1991, Interstate filed its first proposed resource plan.

On June 7, 1993, Interstate filed a Motion for Extension. In that motion the Company requested that the due date for its next resource filing be extended from July 1, 1993, to October 1, 1993. The Company explained that it was analyzing certain issues for the first time and had hired a consultant to assist it in the preparation of its resource plan. Interstate estimated that it would not be able to integrate the new analysis into its resource plan and complete and file a satisfactory report until October.

The Department of Public Service (the Department) filed comments on June 8, 1993. The Department stated that it could see no reasonable alternative to granting the Company's request for a time extension.

The matter came before the Commission for consideration on June 24, 1993.

¹ In the Matter of Establishing a Schedule for Resource Plan Filings by Electric Utilities.

FINDINGS AND CONCLUSIONS

Granting the Company's request for a time extension would require granting a variance to Minn. Rules, part 7843.0300, subp. 2, the resource plan filing rule. Analysis of any request for a variance requires consideration of Minn. Rule, part 7830.4400, which contains the following three criteria for granting a variance:

1. Enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule.

In this case, Interstate would be excessively burdened if it were not granted an extension to the resource plan filing deadline. By hiring an outside consultant to work with Company resource planning staff, the Company has demonstrated its commitment to producing a satisfactory plan. If not allowed sufficient time to complete the plan, the Company could be forced to submit a substandard filing.

2. Granting of the variance would not adversely affect the public interest.

The Company has asked for a relatively small delay in the resource planning process. If intervention and comment deadlines were extended along with the Company's filing deadline, other parties to the proceeding would not be adversely affected.

3. Granting of the variance would not conflict with standards imposed by law.

Allowing the Company a time extension would not conflict with any other rules or statutes.

For these reasons, the Commission will grant Interstate an extension until October 1, 1993, in which to submit its next resource plan filing. The Commission notes that this Order does not affect the 1995 filing deadline, which remains July 1.

ORDER

1. The Commission grants a variance to Minn. Rules, part 7843.0300, subp. 2, and allows Interstate an extension of its resource plan filing deadline to October 1, 1993. By December 1, 1993, the Commission will determine if the filed information is incomplete or unclear, and therefore must be augmented or clarified.

2. Persons who wish to intervene in the proceedings may petition to do so on or before February 1, 1994. Parties who wish to file comments also must do so on or before February 1, 1994.
3. Parties and other interested persons who wish to file responsive comments may do so on or before March 31, 1994.
4. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)